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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,796	05/04/2001	Susie J. Wee	10014737	8832

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EXAMINER

PATEL, AJIT

ART UNIT PAPER NUMBER

2664

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/849,796

Applicant(s)

WEE ET AL.

Examiner

AJIT G. PATEL

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed..
- 6) ☒ Claim(s) 1,2,14-20,32-38 and 50-54 is/are rejected.
- 7) ☐ Claim(s) 3-13,21-31,39-49 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. Claims 2,20,38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The function of said step b) is performed without decoding said media data.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,14-20,32-38,50-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over an article "An active router architecture for multicast video distribution" by Keller et al in view of Benayoun et al (U.S.Pat. # 6,804,257).

Regarding claim 1,19,37, Keller disclose video distribution over Internet incorporating the steps of receiving the stream of data packets from the source node, wherein the stream of data packets comprises media data that are encrypted (page 1137; page 1140, col. 2, lines 6-16); performing a function on the stream of data packets, wherein the function is for configuring the stream of data packets according to attributes downstream of the intermediate node and wherein the function is performed (page 1140, col. 2, lines 9-19); sending to a receiving node a stream of encrypted data packets compatible with the attributes downstream of the intermediate node (page

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1140, lines 9-19; page 1141, col.1; page 1145, col. 2, lines 2-8). The step of performing of Keller et al do not specifically disclose without decrypting the media data (decrypting the header of the packet). Benayoun et al disclose a data communication system in which the packet header is decrypted (not the media data) (lines 20-25, col.3; lines 20-25, col. 4; lines 42-53, col. 4). Therefore, it would have been obvious to one skilled in the art to perform the function without decrypting the media data as taught by Benayoun et al in the system of Keller et al so that the limited resources are needed and hence processing speed can be increased.

Regarding claims 2,20,38, Keller et al disclose the stream of data packets comprises media data that are encoded, wherein the function of the step of performing is performed without decoding the media data (lines 6-15, col. 1, page 1138).

Regarding claims 14,32,50, Keller et al disclose the step of eliminating data packets from the stream of data packets (lines 29-37, col. 2, page 1140; see section C and D on pages 1140,1141).

Regarding claim 15,33,51, Keller et al disclose the limitation "wherein the attributes downstream of the intermediate node comprise attributes of the receiving node" (lines 2-11, col. 2, page 1145; lines 9-32, col. 2, page 1137).

Regarding claim 16,34,52, Keller et al disclose the steps of receiving information from the receiving node (lines 9-32, col. 2, page 1137); and determining the attributes of the receiving node using the information from the receiving node (lines 9-32, col. 2, page 1137).

Regarding claim 17,35,53, Keller et al disclose the limitation "wherein the attributes downstream of the intermediate node comprise attributes of a communication channel linking the intermediate node and the receiving node" (lines 9-32, col. 2, page 1137).

Regarding claim 18,36,54, Keller et al disclose the limitation "wherein the media data are selected from the group comprising: video data, audio data, image data, graphic data, and web page data" (lines 24-32, col. 1, page 1137).

3. Claims 3-13,21-31,39-49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIT G. PATEL whose telephone number is 571-272-3140. The examiner can normally be reached on MONDAY-THURSDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AP

  
**Ajit Patel**  
**Primary Examiner**